

SEALED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

MAY 15 2019

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY U. J. J. DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

Defendants

FRANKIE MARTINEZ (1),

ADAM MCGARITY (3),
BRANDY NELSON (4),
OSSIE LAVELLE FIELDS (5),
JOEL MARTINEZ (6), and
JENNIFER GARZA (7),

Defendants.

CRIMINAL NO:

SA 19 CR 0369 XR

INDICTMENT

[COUNT 1: 21 U.S.C. §§ 846, 841(a)(1), 841(b) - Conspiracy to Possess with Intent to Distribute 500 grams or more of a detectable quantity of methamphetamine, and 5 kilograms or more of Cocaine;

COUNTS 2, 3 & 4: 21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C) and 18 U.S.C. § 2 - Possession with Intent to Distribute a detectable quantity of Cocaine & Aiding and Abetting;

COUNT 5: 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B) and 18 U.S.C. § 2 - Possession with Intent to Distribute 500 grams or more of a detectable quantity of Cocaine & Aiding and Abetting;

COUNT 6: 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A) and 18 U.S.C. § 2 - Possession with Intent to Distribute 500 grams or more of a detectable quantity of Methamphetamine & Aiding and Abetting.]

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. §§ 846, 841(a)(1) & 841(b)]

That beginning on or about September, 2017, and continuing to on or about May, 2019 in the Western District of Texas, Defendants,

FRANKIE MARTINEZ (1),

ADAM MCGARITY (3),
BRANDY NELSON (4),
OSSIE LAVELLE FIELDS (5),
JOEL MARTINEZ (6), and

JENNIFER GARZA (7),

knowingly, intentionally and unlawfully combined, conspired, confederated and agreed together and with other, and with others, to commit the following offenses against the United States:

possession with the intent to distribute controlled substances, which offenses involved

Methamphetamine, a Schedule II Controlled Substance, and Cocaine, a Schedule II Controlled Substance in violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b).

QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY

The quantity of the mixture or substance containing a detectable amount of a controlled substance involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY
FRANKIE MARTINEZ (1),	500 grams or more of a mixture or substance containing a detectable quantity of Methamphetamine and 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine.
[REDACTED]	5 kilograms or more of a mixture or substance containing a detectable amount of cocaine.
ADAM MCGARITY (3),	500 grams or more of a mixture or substance containing a detectable quantity of Methamphetamine.
BRANDY NELSON (4),	A Mixture or Substance Containing a Detectable Quantity of Cocaine.
OSSIE LAVELLE FIELDS (5),	A Mixture or Substance Containing a Detectable Quantity of Cocaine.
JOEL MARTINEZ (6),	500 grams or more of a Mixture or Substance a Containing Detectable Quantity of Cocaine.
JENNIFER GARZA, (7),	500 grams or more of a Mixture or Substance a Containing Detectable Quantity of Cocaine.

COUNT TWO

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C) and 18 U.S.C. § 2]

That on or about October 2, 2018, in the Western District of Texas, Defendants,

FRANKIE MARTINEZ (1), and
[REDACTED]

did unlawfully, knowingly and intentionally aid and abet each other to possess with intent to distribute a controlled substance, which offense involved a Mixture or Substance Containing a Detectable Quantity of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18 United States Code Section 2.

COUNT THREE

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C) and 18 U.S.C. § 2]

That on or about November 30, 2018, in the Western District of Texas, Defendants,

FRANKIE MARTINEZ (1), and
[REDACTED]

did unlawfully, knowingly and intentionally aid and abet each other to possess with intent to distribute a controlled substance, which offense involved a Mixture or Substance Containing a Detectable Quantity of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18 United States Code Section 2.

COUNT FOUR

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C) and 18 U.S.C. § 2]

That on or about January 2, 2019, in the Western District of Texas, Defendants,

[REDACTED]
**BRANDY NELSON (4), and
OSSIE LAVELLE FIELDS (5),**

did unlawfully, knowingly and intentionally aid and abet each other to possess with intent to distribute a controlled substance, which offense involved a Mixture or Substance Containing a Detectable Quantity of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C), and Title 18 United States Code Section 2.

COUNT FIVE

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B) and 18 U.S.C. § 2]

That on or about January 10, 2019, in the Western District of Texas, Defendants,


**JOEL MARTINEZ (6), and
JENNIFER GARZA (7),**

did unlawfully, knowingly and intentionally aid and abet each other to possess with intent to distribute a controlled substance, which offense involved 500 grams or more of a Mixture or Substance a Containing Detectable Quantity of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18 United States Code Section 2.

COUNT SIX

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(A) and 18 U.S.C. § 2]


That on or about January 15, 2019, in the Western District of Texas, Defendants,

**FRANKIE MARTINEZ (1), and
ADAM MCGARITY (3),**

did unlawfully, knowingly and intentionally aid and abet each other to possess with intent to distribute a controlled substance, which offense involved which offense involved 500 grams or more of a Mixture or Substance Containing a Detectable Quantity of Methamphetamine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections

841(a)(1) and 841(b)(1)(A), and Title 18 United States Code Section 2.

A TRUE BILL.


FOREPERSON OF GRAND JURY

JOHN F. BASH
United States Attorney

By:



SAM L. PONDER
Assistant United States Attorney